

SUPPLEMENTAL AND UPDATED INFORMATION TO DECISION RECORD

for the Lower Spencer Creek Watershed

Environmental Assessment #OR014-96-02

Purpose

The purpose of this document is to provide the Decision Maker with updated and/or supplemental information about the Saddled Again Timber Sale that was not available at the time the initial Decision Record was signed. The impacts of the Saddled Again Timber Sale are analyzed in the Lower Spencer Creek Watershed EA (Environmental Assessment #OR014-96-02). The Decision Record for the Lower Spencer Creek Watershed EA was signed on November 18, 1997. The supplemental and updated information includes; on-going soil monitoring information, pretreatment surveys for accipiters, and updated management guidelines and pretreatment survey information for Threatened and Endangered and Survey and Manage (S&M) species addressed in the Klamath Falls Resource Management Plan (KFRA RMP), S&M Record of Decision (ROD) (Jan. 2001), and the Northwest Forest Plan (NFP). This supplemental information will be used to amend some of the Project Design Features addressed in the EA. The amendments to the Project Design Features are primarily additional protective measures to reduce impacts and to protect S&M species addressed in the S&M ROD (Jan. 2001) that were not available at the time the Decision Record was signed. This supplemental information applies only to the Saddled Again Timber Sale that is scheduled to be sold July 31, 2002. This document will assist the Decision Maker in determining if the supplemental information and amendments to the Project Design Features results in impacts that have not already analyzed in the EA and that would warrant an amendment to the EA.

Supplemental & Updated Information

Threatened and Endangered or Sensitive Species

Northern Spotted Owls

Adjacent to the sale area is the 100 acre Buck Mountain District Designated Reserve / Unmapped Late Successional Reserve (DDR/UMLSR). Under the Northwest Forest Plan, any active northern spotted owl nest site as of 1994 was withdrawn from the Matrix and designated an UMLSR. This is a reserve area where treatment is only allowed when a Late Successional Reserve (LSR) Assessment has been completed and approved by the Regional Ecosystem Office (REO). Under the Saddled Again Timber Sale, no treatment is proposed within the DDR/UMLSR. In addition to the 100 acre DDR/UMLSR, the KFRA RMP designated approximately 240 acres of a District Designated Reserve Buffer around the District Designated Reserve. The District Designated Reserve Buffer is part of the Matrix land allocation where timber harvest is allowed. The management objective for the buffer area is to maintain late successional habitat around the reserve (see page 23-26 of the KFRA RMP). Under the Saddled Again Timber Sale, approximately 58 acres of the buffer area will be harvested using a Density Management prescription. There is approximately 640 acres (all of Section 17) of the sale area that has been designated critical habitat for the northern spotted owl.

Survey Protocol - The sale area has been monitored annually since 1992 to determine breeding status of local owls.

Survey Results - There has been one active northern spotted owl nest site within 1.2 miles of the proposed sale area and within the Buck Mountain DDR/UMLSR since 1985. The adults at this nest site have reproduced one young in 17 years. During the 17 years, there were 3-4 years where no owls were detected in the Buck Mountain DDR/UMLSR. In the spring of 2002, the Buck Mountain owls were present but did not nest.

Management Recommendations - The Klamath Falls RMP states on Page 38; "Fall no trees within 1/4 mile of all active northern spotted owl nest sites from approximately March 1 to September 30 to avoid disturbance and harm to young owls." Annual monitoring of nest sites in the KFRA indicate that most owls fledged by late July. Therefore, in consultation with the US Fish and Wildlife Service, the seasonal restriction has been changed to March 1 - August 10.

Management To Be Implemented - Monitoring of the nest site will continue on an annual basis. If nesting occurs within the cutting area through the life of the timber sale contract, the above seasonal restrictions will be implemented.

Rationale - These measures conform with the Biological Opinion and the KFRA RMP and NFP to protect and mitigate impacts to the northern spotted owl in the immediate vicinity of the Saddled Again Timber Sale.

Golden Eagles

Status - Golden Eagles are not classified as a Federally Threatened and Endangered Species. However, under the KFRA RMP, they receive the same protection as bald eagles (see page 34 of the KFRA RMP). A Golden Eagle nest site was located adjacent to the sale area in 1983. The site has been inactive since 1986.

Management To Be Implemented - As a result of inactivity for the past 16 years, no constraints will be applied at this time to the timber sale. The timber sale contract has standard language (E-4 clause) that allows modifications to the contract to protect Threatened and Endangered, S&M, and raptor species. This clause will be invoked if an active nest is located. A seasonal restriction and a buffer of up to 30 acres would be provided around an active nest site.

Rationale - These measures conform to the KFRA RMP to protect and mitigate impacts to golden eagles in the immediate vicinity of the Saddled Again Timber Sale.

Accipiters -

Sharp-shinned hawks and Cooper's hawks

Survey protocol - The sale area has been monitored since 1992 for accipiters to determine the presence and nesting status of northern goshawks, Cooper's hawks, and sharp-shinned hawks.

Survey Results - A sharp-shinned hawk nest was located in 2000 within the proposed sale area. A Cooper's hawk nesting territory was also located in the Buck Mountain DDR/UMLSR.

Management Recommendations - The Klamath Falls RMP states on page 34: "Provide up to a 15-acre buffer for some management activities around known and future nest sites."

Management To Be Implemented -

Sharp-shinned - A 2 acre no harvest buffer was placed around the sharp-shinned hawk nest tree to protect the nest tree and the integrity of the nest site. A density management harvest prescription will be implemented in the area surrounding the buffer to mitigate impacts as well.

Cooper's hawk - The KFRA has not completed the LSR Assessment for the Buck Mountain DDR/UMLSR. Under the KFRA RMP and NFP, no management within an LSR can be implemented until an LSR Assessment has been completed and approved by REO. The Cooper's hawk nesting territory lies within the DDR/UMLSR, therefore, no impact is anticipated for the Cooper's hawk.

Rationale - These measures conform to the RMP accipiter protection requirements and mitigate impacts in the immediate vicinity of the known sharp-shinned hawk nest site.

Survey and Manage (S&M) Species

Protocol Surveys Completed

S&M Species Surveyed to Protocol	Table 1-1 Jan. 2001 ROD Category	Table 1-1 Annual Species Review Category	Management Recommendations	Management to be Implemented
Fungi				
<i>Sarcosphaera crassa</i> , 1 site	B (Manage All Known Sites)	Removed	Maintain microsite conditions Limit soil compaction	Snow logging 25' radius buffer No entry
<i>Albatrellus ellisi</i> 2 sites	B (Manage All Known Sites)	B (Manage All Known Sites)	Maintain microsite conditions Limit soil compaction	Snow logging 60' radius buffer Can reach in and cut
Aquatic Mollusks				
<i>Fluminicola</i> sp. (Assumed to be S&M)	A (Manage All Known Sites)	A (Manage All Known Sites)	No entry in riparian areas, Minimize disturbance above seeps and springs	Snow logging No entry into riparian areas.
Terrestrial Mollusks			None	None
<i>Helminthoglypta Hertleini</i>	B^4 (Manage All Known Sites)	E^4 (Manage All Known Sites)	None found No Management Needed	N/A
<i>Pristoloma articum</i> <i>Crateris</i>	B^4 (Manage All Known Sites)	B^4 (Manage All Known Sites)	None found No Management Needed	N/A

Surveys

Pre-disturbance surveys required under the Northwest Forest Plan were completed in areas within and immediately adjacent to the Saddled Again Timber Sale. Surveys were conducted following NFP Survey Protocols in 2000 and 2001 in the Saddled Again Timber Sale area. In January 2001, the S&M Record of Decision amended the 1994 NFP. The 2001 S&M ROD amended pre-disturbance survey requirements and changed the Protection Buffer status and ranges of several species on the Survey and Manage list. These changes are reflected in Table 1-1 in the January 2001 S&M ROD. In 2001, surveys were completed following the requirements in the 1994 NFP. In 2002, surveys were completed following requirements in the January 2001 S&M ROD.

In June of 2002, the 2001 Annual Species Review (ASR) was released again changing the range and category of many species on the Survey and Manage species list. The changes between the January 2001 S&M ROD and the June 2001 Annual Species Review are shown in Table 1-1 of the Annual Species Review. Survey and Manage species in the Saddled Again Timber Sale were managed following Table 1-1 of the January 2001 ROD. Background information on surveys, non survey and manage species found, and methods used can be found in the project binder.

Rationale

Based on available scientific literature and extensive field experience, the local specialists within the resource area consider the above measures adequate to protect the fungi that were found during pre-disturbance surveys. The 2001 Annual Species Review was not used for Managing Known Sites on the Saddled Again Timber Sale because there was not sufficient time between the release of the 2001 ASR and the Saddled Again Timber Sale date to remove protection buffers. More Survey and Manage species in the sale area are protected under the 2001 ROD than the 2001 ASR released in June of 2002. *Sarcosphaera coronaria* (1 site in the sale area) was the only species found in Saddled Again that was completely removed from the Survey and Manage list and its site will remain buffered. Considering the harvest prescription and presence of these fungi species within neighboring reserves, the long-term survival of these S&M fungi species in the Saddled Again Timber Sale area is highly likely without further site protection or additional thermal clumps. Soil compaction restricts fungi establishment and growth; therefore, Best Management Practices (BMPs) for reducing soil disturbance and soil compaction will be employed. Approximately 350 acres of the sale area will be winter logged over a minimum of 20" of snow to mitigate soil compaction and disturbance. In addition, cable logging will be implemented on approximately 80 acres resulting in less soil impacts.

Former Protection Buffer Species - Great Gray Owls

Survey Protocol - The sale area has been annually surveyed from 1996-2002 in accordance with the survey protocol for Great Gray Owl (May 12, 1995 direction from the Regional Interagency Executive Committee Members and California Federal Executives, and BLM Informational Bulletin No. OR-97-311 that described adjustments to the original great gray owl protocol.)

Survey Results - A nighttime detection of a male great gray owl was recorded in 2001. However, there were no other detections. Therefore, no activity center has been designated.

Management Recommendations - Although the S&M 2001 ROD does not require protection of a new nest site after the date of the Decision Record, the Great Gray Owl is considered a raptor and the standard timber sale E4 clause will be used to protect any new Great Gray Owl nest site. Protection of the nest tree and a no-cut buffer up to 3 acres in size would be reserved around any identified nest tree.

Management To Be Implemented – Surveys for Great Gray Owls will in the Saddled Again Timber Sale area will continue on an annual basis. That standard timber sale E4 clause will be included in the timber sale contract.

Rationale – If a nest tree is located in the future, the proposed management recommendation allows for the protection of the nest tree and the surrounding area even after the Decision Record is signed and pre-disturbance surveys are completed. Concurrently, the management recommendation allows for minimal disruption of a sold timber sale contract as intended in the S&M 2001 ROD.

Consultation

The Saddled Again Timber Sale is within the known range of the northern spotted owls and the area analyzed in the Northwest Forest Plan. In 1996, the BLM began a programmatic biological assessment for the entire Lower Spencer Creek analysis area. However, in lieu of completing a programmatic biological assessment for the entire analysis area, the KFRA and the USF&WS determined to consult on the individual Saddled Again Timber Sale. Over the past year, the KFRA and the USF&WS have toured the sale area and surrounding northern spotted owl sites and reviewed the proposed silvicultural prescriptions. The KFRA completed the biological evaluation on May 6, 2002 for the Saddled Again Timber Sale. On June 20, 2002, the KFRA initiated formal consultation with the U.S. Fish and Wildlife Service and determined that the proposed action “may affect”, and “is likely to adversely affect” northern spotted owls and will result in a “no effect” determination for the bald eagle (*Haliaeetus leucocephalus*), shortnose sucker (*Chasmistes brevirostris*) and Lost River sucker (*Deltistes luxatus*). The U.S. Fish and Wildlife Service on June 27, 2002 concurred with the BLM’s determination for northern spotted owls and issued a non-jeopardy biological opinion for the proposed action.

The habitat within the Saddled Again sale area is habitat generally associated with breeding northern spotted owls and is below the thresholds thought to be sufficient for successful breeding. The proposed treatment will retain from 50 to 80 percent of the existing habitat in the sale area using the proposed partial cut prescription. Many of the habitat components including canopy closure, large trees, and down wood will be retained. Some habitat degradation will occur in the Matrix within the 1.2 mile home range of the owls within the project area (See Biological Opinion).

Consistency

The initial Decision Rationale and the supplemental information is consistent with the goals and objectives of the:

- C Final Klamath Falls Resource Area Resource Management Plan (RMP) and its Record of Decision (June 1995).
- C Final Supplemental Environmental Impact Statement on Management Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan).

- C Klamath Falls Resource Area Fire Management EA (OR-014-94-09)
- C Klamath Falls Resource Area Integrated Weed Control Plan EA (OR-014-93-09) Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001).
- C The Lower Spencer Creek Watershed EA analysis area lies within the overlap area of the Northwest Forest Plan and the Interior Columbia Basin Ecosystem Management Project. This decision was considered within the context of both of these management efforts, including the Scientific Assessments associated with ICBEMP. No additional analysis is deemed necessary at this time.

Conclusion For Saddled Again Timber Sale

Summary of Additional Protective Measures – A summary of the additional protective measures that will be implemented as part of the Saddled Again Timber Sale to mitigate new information include:

- 3 Additional reserve areas around Category B S&M sites (approximately 1-3 acres)
- 1 Sharp shinned nest site reserve (2 acres)
- Approximately 350 acres of snow logging and 80 acres of cable logging to reduce soil impacts
- The remaining protective measures discussed above are already addressed in the Lower Spencer Creek EA.

As result of the supplemental information and protective measures discussed above, The Decision Rationale, signed November 18, 1997 to implement the Proposed Action Alternative (Alternative A) of the Lower Spencer Creek EA (EA #OR-014-96-02) which includes the Saddled Again Timber Sale is still valid. Harvest of approximately 4 Million Board Feet (4MMBF) on approximately 570 acres was proposed and analyzed in the EA. The Saddled Again Timber Sale treatment will be implemented using BLM timber sale procedures and is expected to occur during the next 1 to 3 years. I have determined that a change to the Finding of No Significant Impact (FONSI) for the Lower Spencer Creek Watershed is **not** necessary for these reasons:

- The existing EA for the Lower Spencer Creek Watershed fully analyzes the project as modified by the proposed mitigation and adjustments. There will be no substantial changes to the action as proposed and analyzed in the EA. The actions as amended are within the scope of the alternatives identified in the EA, and the environmental impacts are within those analyzed in the EA and less than those anticipated for the preferred alternative in that assessment.
- There are no significant new circumstances or facts relevant to environmental concerns and bearing on the modification to the proposed action or its impacts which were not addressed in the EA. The EA anticipated protecting Survey and Manage species in accordance with the Record of Decision for the Northwest Forest Plan and the KFRA RMP. The surveys conducted for this sale satisfy the survey requirements for this sale as amended by the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines which was signed in January of 2001, and fulfills the Survey and Manage Commitment identified in the EA.

/s/ Teresa A. Raml
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7/01/02
Date

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